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Hon. Harold Baer
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

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Re: USA v. Derevianko
07 Cr. 815 (HB)

JUN 10 2008

HAROLD BAER, JR.
U.S. DISTRICT COURT

Dear Judge Baer:

David Stern and I request that your Honor assign me in place of Mr. Stern, as CJA counsel for Mr. Derevianko, nunc pro tunc to August 6, 2007. The CJA office has requested that the payment voucher submitted by my office either be in Mr. Stern's name or that I be assigned nunc pro tunc. Since I was the attorney who represented Mr. Derevianko, although Mr. Stern was assigned, I am requesting that you sign an order assigning me.

I represented Mr. Derevianko because on August 6, 2007, Mr. Stern's CJA duty day and the day the case was presented, Mr. Stern was unavailable as he was preparing for a September, 2007 capital trial scheduled to start in September before Judge Dearie in the Eastern District. (The Caraballo matter ended up being postponed at the last minute due to an illness of Judge Dearie). As matters pertaining to bail were involved and time-consuming during the first weeks of the case, and Mr. Stern was unavailable, I established a strong relationship with Mr. Derevianko, and I continued to represent him as the case proceeded.

For these reasons, I request that you endorse this letter or issue a separate order appointing me as CJA counsel for Mr. Derevianko, nunc pro tunc to August 6, 2007. If there is anything regarding this matter which you would like to discuss with me, please feel free to contact me. Thank you very much.

RAS:et

Please provide
we will attach
bailiff and the voucher(s)
for his representation
Harold Baer

Sincerely,
Robert A. Soloway

Harold Baer, Jr., U.S.D.J.

Date: 6/13/08